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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,211	03/15/2004	Edward M. Furman	LEEE 200390	8550
27885	7590	03/07/2006	EXAMINER	
FAY, SHARPE, FAGAN, MINNICH & MCKEE, LLP 1100 SUPERIOR AVENUE, SEVENTH FLOOR CLEVELAND, OH 44114			SHAW, CLIFFORD C	
			ART UNIT	PAPER NUMBER
			1725	

DATE MAILED: 03/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/800,211

Applicant(s)

FURMAN ET AL.

Examiner

Clifford C. Shaw

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14, 19, 20, 22, and 23 is/are rejected.
- 7) ☒ Claim(s) 15-18 and 21 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

Detailed Action

1.) The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2.) Claim 22 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 22, line 2, there is no antecedent basis for "said power source", making it unclear what the scope of the claim is.

3.) The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.) Claim 22 is rejected under 35 U.S.C. 102(b) as being anticipated by Hongu et al. (6,384,375). Figure 3 and the discussion at column 9, line 40 – line 67 in the patent to Hongu et al. (6,384,375) disclose an electric welder with the features claimed, including the transmission of a signal unique to the power supply on an output lead thereof at element 21.

5.) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6.) Claims 14, 19, 20, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hongu et al. (6,384,375) taken with Matasovic (4,147,919). The patent to Hongu et al. (6,384,375) discloses a power source that transmits a unique identification signal on an output lead (see figure 3, element 21 in Hongu et al. (6,384,375)). The claims differ in calling for a wire feeder and in claim 20 calling for plural power sources. These differences do not patentably distinguish over the prior art. At the time applicant's invention was made, it would have been obvious to have used the power supply of Hongu et al. (6,384,375) in conjunction with a wire feeder, the motivation being the teachings of Matasovic (4,147,919) that a power source can be advantageously connected to a wire feeder for arc welding (see figure 1, elements "P" and "F" in Matasovic (4,147,919)). In regard to claim 20, it would have been obvious that the power supply taught by Hongu et al. (6,384,375) be used in a welding environment with multiple power supplies, because it is conventional for a welding environment to include multiple welders, each with its own power supply.

7.) Claims 1-14, 19, 22, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Feichtinger et al. (2004/0026392). Figures 1 and 4 and the discussion at paragraphs 52 through 86 of the publication of Feichtinger et al. (2004/0026392) disclose a wire feeder for an arc welder and an arc welder system including a wireless communications network using RF and based on modules 29 wherein each module 29 may have its own identification code (see

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paragraph 73 in Feichtinger et al. (2004/0026392)). The power supplies and wire feeders in the system of Feichtinger et al. (2004/0026392) each have a module 29 attached thereto. The claims differ from Feichtinger et al. (2004/0026392) in calling for: starting signals in claims 1 and 7; the power supplies to receive signals from the wire feeders in claims 10 and 14; signals unique to a power source in claims 22 and 23. These differences do not patentably distinguish over the prior art. It is considered obvious that the control system in Feichtinger et al. (2004/0026392) control any controllable feature of the welding system, including starting as claimed. In regard to claims 10 and 14, the individual modules in the system of Feichtinger et al. (2004/0026392) will all receive signals from each other (note the reference to the "ALOHA principle" in paragraphs 77 and 78 --- as is well known, ALOHA networking was a wireless, RF precursor to Ethernet protocols thus necessarily implying that the network nodes are all in communication with one another). It is considered obvious that the individual modules 29 that are respectively associated with power supply and the wire feed units will communicate with each other, since they are part of the overall network. In regard to claims 22 and 23, the identification codes for the modules 29 in Feichtinger et al. (2004/0026392) must be unique. It is considered obvious that these codes would uniquely identify the power supply and the wire feeder units that the modules 29 are mounted on because there is only one module 29 mounted on each power supply or wire feeder.

8.) Claims 15-18 and 21 are objected to for depending from rejected claims, but would be given favorable consideration if recast in independent form to include all of the limitations of the parent claims. None of the prior art of record teaches a network with all the features claimed, particularly the limitations directed to: a plurality of power sources; each power source having a

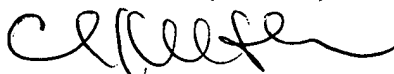
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transmitter to transmit a unique coded signal; and a wire feeder transmitting a signal coded on the basis of the unique power supply code in the manner set forth in the claims.

Any inquiry concerning this communication should be directed to Clifford C Shaw at telephone number 571-272-1182. The examiner can normally be reached on Monday through Friday of the first week of the pay period and on Tuesday through Friday of the second week of the pay period.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Thomas G. Dunn, can be reached at 571-272-1171. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Clifford C Shaw
Primary Examiner
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March 4, 2006